
By: **Delegates McComas, Boutin, Dumais, Frush, Menes, Petzold, Sossi, and
F. Turner**

Introduced and read first time: February 13, 2004

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2004

CHAPTER _____

1 AN ACT concerning

2 **Domestic Violence - Protective Order - Penalty**

3 FOR the purpose of providing certain penalties for failure to comply with certain
4 relief ordered by the court in a final protective order ~~by not surrendering~~
5 ~~possession of certain firearms to law enforcement authorities for a certain time~~
6 ~~period; providing certain penalties for willful failure to complete a certain~~
7 ~~counseling or a domestic violence program ordered by the court in a final~~
8 ~~protective order~~; and generally relating to domestic violence.

9 BY repealing and reenacting, without amendments,
10 Article - Family Law
11 Section 4-506(d)(11) and (12)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2003 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Family Law
16 Section 4-509
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2003 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Family Law

2 4-506.

3 (d) The final protective order may include any or all of the following relief:

4 (11) direct the respondent or any or all of the persons eligible for relief to
5 participate in professionally supervised counseling or a domestic violence program;6 (12) order the respondent to surrender to law enforcement authorities any
7 firearm in the respondent's possession for the duration of the protective order; or

8 4-509.

9 (a) A person who fails to comply with the relief granted in an interim
10 protective order under § 4-504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a
11 temporary protective order under § 4-505(a)(2)(i), (ii), (iii), (iv), or (v) of this subtitle,
12 or a final protective order under § 4-506(d)(1), (2), (3), (4), [or] (5), OR (12) OF THIS
13 SUBTITLE, OR A RESPONDENT WHO WILLFULLY FAILS TO COMPLETE COUNSELING
14 OR A DOMESTIC VIOLENCE PROGRAM ORDERED UNDER § 4-506(D)(11) of this subtitle
15 is guilty of a misdemeanor and on conviction is subject, for each offense, to:

16 (1) for a first offense, a fine not exceeding \$1,000 or imprisonment not
17 exceeding 90 days or both; and18 (2) for a second or subsequent offense, a fine not exceeding \$2,500 or
19 imprisonment not exceeding 1 year or both.20 (b) An officer shall arrest with or without a warrant and take into custody a
21 person who the officer has probable cause to believe is in violation of an interim,
22 temporary, or final protective order in effect at the time of the violation.23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2004.